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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

12 TRISTAN BUMATAY NILLO, ) No. 2:22-cv-0817 DB  
13 Plaintiff, )  
14 ) **STIPULATION TO VOLUNTARY**  
15 v. ) **REMAND PURSUANT TO SENTENCE**  
16 ) **FOUR OF 42 U.S.C. § 405(g) AND TO**  
17 COMMISSIONER OF SOCIAL SECURITY, ) **ENTRY OF JUDGMENT; AND ORDER**  
Defendant. )

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19 IT IS STIPULATED by and between Plaintiff (“Plaintiff”) and Defendant  
20 Commissioner of Social Security (“Defendant”), through their undersigned counsel of record,  
21 that the above-entitled action shall be remanded to the Commissioner of Social Security for  
22 further administrative proceedings.

23 Upon remand, the Appeals Council will remand the case to an Administrative Law  
24 Judge (ALJ) for a new decision. The parties further request that the Court direct the Clerk of the  
25 Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the final  
26 decision of the Commissioner.  
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1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
2 Social Security Act, 42 U.S.C. 405(g).

3  
4 Dated: March 30, 2023

/s/ Jonathan Omar Pena  
JONATHAN OMAR PENA

Attorney for Plaintiff

\*Authorized via e-mail on March 30, 2023

PHILLIP A. TALBERT  
United States Attorney  
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10 By: /s/ Timothy A. Razel  
11 TIMOTHY A. RAZEL  
12 Special Assistant United States Attorney

13 Attorneys for Defendant

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17 **ORDER**

18 Pursuant to the parties' Stipulation to Voluntary Remand Pursuant to Sentence Four of 42  
19 U.S.C. § 405(g) and to Entry of Judgment ("Stipulation to Remand"), and for cause shown, **IT**  
20 **IS HEREBY ORDERED** that:

21 1. The Clerk of the Court is directed to enter a final judgment in favor of Plaintiff, and  
22 against Defendant, reversing the final decision of the Commissioner;

23 2. This action is remanded to the Commissioner of Social Security for further  
24 proceedings consistent with the terms of the Stipulation to Remand; and

25 3. This case is closed.

26 DATED: March 31, 2023

/s/ DEBORAH BARNES  
UNITED STATES MAGISTRATE JUDGE